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LRB095 04806 DRH 31536 a

1 AMENDMENT TO HOUSE BILL 262

2 AMENDMENT NO. _____. Amend House Bill 262 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Vehicle Code is amended by
5 changing Section 6-107.1 as follows:

6 (625 ILCS 5/6-107.1)

7 Sec. 6-107.1. Instruction permit for a minor.

8 (a) Subject to subsection (d), the ~~The~~ Secretary of State,
9 upon receiving proper application and payment of the required
10 fee, may issue an instruction permit to any person under the
11 age of 18 years who is not ineligible for a license under
12 paragraphs 1, 3, 4, 5, 7, or 8 of Section 6-103, after the
13 applicant has successfully passed such examination as the
14 Secretary of State in his discretion may prescribe.

15 (1) An instruction permit issued under this Section
16 shall be valid for a period of 24 months after the date of

1 its issuance and shall be restricted, by the Secretary of
2 State, to the operation of a motor vehicle by the minor
3 only when accompanied by the adult instructor of a driver
4 education program during enrollment in the program or when
5 practicing with a parent, legal guardian, family member, or
6 a person in loco parentis who is 21 years of age or more,
7 has a license classification to operate such vehicle and at
8 least one year of driving experience, and who is occupying
9 a seat beside the driver.

10 (2) A 24 month instruction permit for a motor driven
11 cycle may be issued to a person 16 or 17 years of age and
12 entitles the holder to drive upon the highways during
13 daylight under direct supervision of a licensed motor
14 driven cycle operator or motorcycle operator 21 years of
15 age or older who has a license classification to operate
16 such motor driven cycle or motorcycle and at least one year
17 of driving experience.

18 (3) A 24 month instruction permit for a motorcycle
19 other than a motor driven cycle may be issued to a person
20 16 or 17 years of age in accordance with the provisions of
21 paragraph 2 of Section 6-103 and entitles a holder to drive
22 upon the highways during daylight under the direct
23 supervision of a licensed motorcycle operator 21 years of
24 age or older who has at least one year of driving
25 experience.

26 (b) An instruction permit issued under this Section when

1 issued to a person under the age of 17 years shall, as a matter
2 of law, be invalid for the operation of any motor vehicle
3 during the same time the child is prohibited from being on any
4 street or highway under the provisions of the Child Curfew Act.

5 (b-1) No instruction permit shall be issued to any
6 applicant who is under the age of 18 years and who has been
7 certified to be a chronic or habitual truant, as defined in
8 Section 26-2a of the School Code.

9 An applicant under the age of 18 years who provides proof
10 that he or she has resumed regular school attendance or that
11 his or her application was denied in error shall be eligible to
12 receive an instruction permit if other requirements are met.
13 The Secretary shall adopt rules for implementing this
14 subsection (b-1).

15 (c) Any person under the age of 16 years who possesses an
16 instruction permit and whose driving privileges have been
17 suspended or revoked under the provisions of this Code shall
18 not be granted a Family Financial Responsibility Driving Permit
19 or a Restricted Driving Permit.

20 (d) The Secretary of State may require a random drug test
21 and may not issue an instruction permit to a person under the
22 age of 18 if the person tested positive for the presence of any
23 controlled substances or cannabis.

24 A person who has tested positive for controlled substances
25 or cannabis may be issued an instruction permit if he or she is
26 tested at a later date and tests negative for any controlled

1 substances or cannabis.

2 The Secretary shall adopt rules for implementing this
3 subsection (d). The Secretary shall prescribe a fee, to be
4 added to the fees charged for a license issued to a new driver,
5 to cover the cost of this testing.

6 (Source: P.A. 94-916, eff. 7-1-07.)".